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In re Application of:  
Michael Gilfix, *et al.*

Serial No.: 10/687,239

Filing Date: October 16, 2003

Title: Interactive, Non-intrusive Television  
Advertising

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Group Art Unit: 2671

Examiner: Unassigned

Docket No.: AUS920030360US1

Mail Stop: DD  
Commission for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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|---|
| <p align="center"><b>CERTIFICATE OF TRANSMISSION/MAILING</b></p> <p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to : Commissioner for Patents, Washington, DC 20231 on the date below:</p> <p>Date: <u>May 14, 2004</u><br/>Signature: <u>Catherine Berglund</u><br/>Catherine Berglund</p> |
|---|

### INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Submitted herewith are patents, publications or other information of which the undersigned is aware, which he believes may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

While this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with CFR 1.97(b) the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits. 37 CFR 1.97(b).

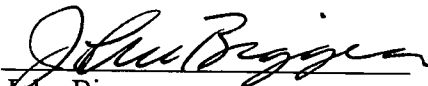
A list of the patents(s) and/or publications(s) is set forth on the attached Forms PTO/SB/08a & b.

A concise explanation of the items listed on PTO/SB/08a is not given.

The person making this statement is the attorney who signs below on the basis of the information in the attorney's file.

Respectfully submitted,

Date: 5.14.04

By: 

John Biggers

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ATTORNEY FOR APPLICANT(S)

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FORM**

(to be used for all correspondence after initial filing)

|  |                 |
|--|-----------------|
| Application Number                       | 10/687,239      |
| Filing Date                              | 10/16/2003      |
| First Named Inventor                     | MICHAEL GILFIX  |
| Art Unit                                 | 2671            |
| Examiner Name                            | Unknown         |
| Attorney Docket Number                   | AUS920030360US1 |
| Total Number of Pages in This Submission | 43              |

**ENCLOSURES (Check all that apply)**

|  |  |   |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to a Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Forms PTO/SB/08a & b; References; and Return Postcard. |
| <b>Remarks</b><br>Please charge or credit Deposit Account 09-0447 for fees required or overpaid.   |  |   |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                    |                                 |
|--------------------|---------------------------------|
| Firm or Individual | John Biggers<br>Reg. No. 44,537 |
| Signature          |                                 |
| Date               | 05/14/04                        |

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| Typed or printed  | Catherine Berglund |
| Signature   |                    |
| Date  | 05/14/04           |

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

**Complete if Known**

|                        |                 |
|------------------------|-----------------|
| Application Number     | 10/687,239      |
| Filing Date            | 10/16/2003      |
| First Named Inventor   | Michael Gilfix  |
| Art Unit               | 2671            |
| Examiner Name          | Unknown         |
| Attorney Docket Number | AUS920030360US1 |

**U. S. PATENT DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number<br>Number-Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|-----------------------|--------------------------|---|--------------------------------|--|---|
|                       |                          | US- 2002/0184623 A1   | 12-05-2002                     | Hodge et al.                                       |   |
|                       |                          | US- 2002/0069405 A1   | 06-06-2002                     | Chapin et al.                                      |   |
|                       |                          | US- 2002/0194592 A1   | 12-19-2002                     | Tsuchida et al.                                    |   |
|                       |                          | US- 2002/0174430 A1   | 11-21-2002                     | Ellis et al.                                       |   |
|                       |                          | US- 2002/0056136 A1   | 05-09-2002                     | Wistendahl et al.                                  |   |
|                       |                          | US- 2001/0023436 A1   | 09-20-2001                     | Srinivasan et al.                                  |   |
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|                       |                          | US- 2002/0120934 A1   | 08-29-2002                     | Abrahams   |   |
|                       |                          | US- 2002/0194590 A1   | 12-19-2002                     | Pong   |   |
|                       |                          | US- 2002/0083469 A1   | 06-27-2002                     | Jeannin et al.                                     |   |
|                       |                          | US- 2002/0080163 A1   | 06-27-2002                     | Morey  |   |
|                       |                          | US- 2002/0010923 A1   | 01-24-2002                     | Pack et al.  |   |
|                       |                          | US- 6,292,187 B1  | 09-18-2001                     | Gibbs et al.                                       |   |
|                       |                          | US- 5,929,850   | 07-27-1999                     | Broadwin et al.                                    |   |
|                       |                          | US- 5,987,509   | 11-16-1999                     | Portuesi   |   |
|                       |                          | US- 6,496,981 B1  | 12-17-2002                     | Wistendahl et al.                                  |   |
|                       |                          | US- 6,275,989 B1  | 08-14-2001                     | Broadwin et al.                                    |   |
|                       |                          | US-   |                                |  |   |
|                       |                          | US-   |                                |  |   |

**FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Foreign Patent Document<br>Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) | Publication<br>Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>Or Relevant Figures Appear | T <sup>6</sup> |
|-----------------------|--------------------------|--|-----------------------------------|--|---|----------------|
|                       |                          | WO 02/05568 A2   | 01-17-2002                        | Link   |   |                |
|                       |                          |  |                                   |  |   |                |
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Examiner  
Signature

/Jason Thomas/

Date  
Considered

12/12/2007

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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**Complete if Known**

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| <b>First Named Inventor</b>   | Michael Gilfix  |
| <b>Art Unit</b>               | 2671            |
| <b>Examiner Name</b>          | Unknown         |
| <b>Attorney Docket Number</b> | AUS920030360US1 |

**(Use as many sheets as necessary)**

Sheet 2 of 2

## NON PATENT LITERATURE DOCUMENTS

[illegible]

|                    |                |                 |            |
|--------------------|----------------|-----------------|------------|
| Examiner Signature | /Jason Thomas/ | Date Considered | 12/12/2007 |
|--------------------|----------------|-----------------|------------|

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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